REMARKS

Applicant respectfully requests reconsideration of this application where amendments to the claims are made above.

The rejection under 35 U.S.C. §112 can be withdrawn.

Claims 17-20 were rejected under 35 U.S.C. §112, second paragraph, because claim 17 included the language "the platform weight." That language has been deleted from the claim. The rejection is therefore moot and can be withdrawn.

The rejection of claims 1-11 and 12-16 under 35 U.S.C. §103 should be withdrawn.

Applicant respectfully traverses the rejection under 35 U.S.C. §103 based upon the proposed combination of the *Jackson, et al.* and *Smith* references. There is no possibility within the *Jackson, et al.* reference for having differing amounts of the platform section 122 on opposite sides of an upright of the sling 12. The platform section 122 is exclusively on one side of the uprights in the *Jackson, et al.* reference. It is impossible to move the platform section 122 relative to the car sling 12 of the *Jackson, et al.* reference in a manner consistent with how the platform is adjustably supported in Applicant's claims 1 and 12. Therefore, even if it were somehow possible to modify the *Jackson, et al.* reference with the *Smith* reference, the result would not be the same as the claimed arrangement and there is no *prima facie* case of obviousness.

The rejection of claims 17-20 under 35 U.S.C. §103 should be withdrawn.

Applicant respectfully traverses the rejection under 35 U.S.C. §103 based upon the proposed combination of the *Ericson, et al.* and *Jackson, et al.* references. There is no *prima facie* case of obviousness. First, the *Ericson, et al.* reference is silent regarding having a position of the platform relative to the plank beam adjusted to thereby level the assembly within a hoistway. Applicant respectfully and expressly disagrees with the Examiner's conclusion in that regard on page 6 of the Office Action. Further, the Examiner correctly acknowledges that the *Ericson, et al.* reference is silent with respect to any adjusting of the position of the platform relative to the plank beam to level the assembly within a hoistway. The Examiner then turns to the *Jackson, et al.* reference to find such a teaching. There is no teaching, however, within the *Jackson, et al.* reference that in any way suggests moving a platform as recited in Applicant's claim 17. It is impossible to move the platform section 122 of the *Jackson, et al.* reference in a manner consistent with the movement recited in Applicant's claim 17 because the platform section 122 cannot be on opposite sides of the uprights of the sling 12. Therefore, even if it were somehow possible to make the proposed combination, the result is not the same as the claimed method and there is no *prima facie* case of obviousness.

Conclusion

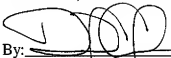
This case is in condition for allowance.

Applicant believes that additional fees in the amount of $52.00 are required for one claim in excess of twenty. Authorization is granted for the Commissioner to charge the credit card in the name of U.S. Patent and Trademark Office, c/o Otis Elevator Company. The Commissioner is

authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds, for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS



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Dated: February 3, 2009

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